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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/644,318	08/19/2003	Jaime Singson	OR03-04001	6010
51067 7590 04/18/2007 ORACLE INTERNATIONAL CORPORATION c/o PARK, VAUGHAN & FLEMING LLP 2820 FIFTH STREET DAVIS, CA 95618-7759			EXAMINER DARNO, PATRICK A	
			ART UNIT	PAPER NUMBER
			2163	
SHORTENED STATUTORY PERIOD OF RESPONSE		MAIL DATE	DELIVERY MODE	
3 MONTHS		04/18/2007	PAPER	

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

**Office Action Summary**

Application No.

10/644,318

Applicant(s)

SINGSON ET AL.

Examiner

Patrick A. Darno

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 06 April 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-3, 5-16, 18-29 and 31-39 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-3, 5-16, 18-29 and 31-39 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 19 August 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_

**DETAILED ACTION**

1. Claims 4, 17, and 30 are cancelled. Claims 1, 14, and 27 have been amended. Claims 2, 10-12, 15, 23-25, 28, and 36-38 are as previously presented. Claims 3, 5-9, 13, 15-16, 18-22, 26, 29, 31-35, and 39 are in their original form. Claims 1-3, 5-16, 18-29, and 31-39 are pending in this office action.

***Affidavit - 37 C.F.R. 1.131***

2. The evidence submitted is insufficient to establish a reduction to practice of the invention in this country or a NAFTA or WTO member country prior to the effective date of the cited prior art references.

Specifically, it appears that the Applicant intended to show an actual reduction to practice with the statement, "the invention was implemented on January 10, 2003." For an actual reduction to practice, the invention must have been thoroughly tested to demonstrate that it will work for its intended purpose...(MPEP 2138.05, II Requirements to Establish Actual Reduction to Practice). So, in order to establish a date for an actual reduction to practice, it is required that the Applicant provide something along the lines of test results showing that the implemented invention was fully functional and repeated successful results were produced. Therefore, the 37 C.F.R. 1.131 declaration is found to provide insufficient proof of an earlier priority date of the Applicant's claimed invention.

3. The evidence submitted is insufficient to establish applicant's alleged actual reduction to practice of the invention in this country or a NAFTA or WTO member country after the effective date of the cited prior art references.

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It appears the Applicant intended to claim an actual reduction to practice before the effective filing date of the cited prior art references. The Examiner is simply noting here that date for a reduction to practice of the Applicant's claimed invention has been sufficiently established after the effective filing dates of the prior art references. Therefore, the 37 C.F.R. 1.131 declaration is found to provide insufficient proof of an earlier priority date of the Applicant's claimed invention. A telephone interview may be beneficial in trying to discuss appropriate steps to help make the 37 C.F.R. 1.131 declaration acceptable. Applicant is urged to contact the Examiner to discuss this issue if any further clarification is needed.

4. The evidence submitted is insufficient to establish diligence from a date prior to the date of reduction to practice of the cited prior art references to either a constructive reduction to practice or an actual reduction to practice.

No attempt by the Applicant has been made whatsoever to show diligence linking the submitted conception of the invention (inventive disclosure) to a date of reduction to practice of the Applicant's claimed invention. Therefore, the 37 C.F.R. 1.131 declaration is found to provide insufficient proof of an earlier priority date of the Applicant's claimed invention.

5. Because of the deficiencies cited above, the submitted 37 C.F.R. 1.131 declaration has been deemed inadequate to establish an earlier priority date of the Applicant's claimed invention. Therefore, the cited prior art is still presumed valid, and the rejections given under 35 U.S.C. 103(a) are upheld.

***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

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(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 1-3, 5-16, 18-29, and 31-39 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent Application Publication Number 2005/0033726 issued to Ju Wu et al. (hereinafter "Wu") and further in view of U.S. Patent Application Publication Number 2003/0018605 issued to Gary Willman Policastro et al (hereinafter "Policastro").

**Claim 1:**

Wu discloses a method for facilitating data stewardship for metadata in a data warehouse system, comprising:

creating metadata, under the control of a user, for use in the data warehouse system (Wu: paragraph [0035]; Note specifically lines 8-10, "end users employing a metadata consumer access business views." This shows that the users access the actual data with the aid of metadata. Then on lines 13-16 the phrase "At each level, business users responsible for preparing mapped data....". This preparing of mapped data is the creation of metadata for use in a data warehouse system.);

moving the metadata, under the control of a super user, into and out of a collection, thereby securing the metadata (Wu: paragraph [0011], lines 7-10 and paragraph [0025] paragraph [0034] and paragraph [0037] and Fig. 15; The data foundation is the collection. The word administrator as used in this reference is a generic term that includes "regional managers", "data administrators", and "data managers". This distinction can be made perfectly clear by reading Wu: paragraph [0037]. Paragraph [0037] shows that the original data foundations are "created by regional managers". It further shows that data administrators can "add the relevant data connections previously created". Finally, the definition of a data manager is one who handles, controls, or directs data. Paragraph [0034] shows that the regional manager (or administrator or super user) creates

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*the data foundation (collection) by using a GUI to select tables and columns from a variety of data sources. This selecting of tables and columns from a variety of data sources results in moving metadata into and out of a collection (data foundation). The data foundation draws its data from columns and tables (normal operation in a relational database.). The metadata is the data mapping and linking involved in connecting the columns and tables into a data foundation (or collection).);*

*assigning, under the control of the super user, a data steward for the collection (Wu: paragraph [0037] and [0054], lines 1-4; The data stewards are the data managers referred to in paragraph [0037], line 4. In paragraph [0037] it is important to note that Wu discloses all types of possible users claimed by the applicant. The regional manager is the super user, the data manager is the data steward, the data administrators are the collection administrators, and the users are simply the normal users. And note in paragraph [0054] that the administrators (or regional manager or super user) control which tables and columns that users can or cannot access. The only characteristic that distinguishes between administrative users (super users, administrators, data stewards or managers, etc.) and regular users is the level of access that a given user has to certain data. Since the administrative user here is allowed to control access to all data, the administrative user can grant or assign a data steward for a given collection by simply giving the user to be designated data steward the necessary access to the data in a given collection (or data foundation).);*

*manipulating, under the control of the data steward, the metadata in the collection, wherein manipulating the metadata involves securing the metadata and performing administration operations on the collection (Wu: paragraph [0080]; Note that it is "possible for administrators to create and modify metadata service objects" (performing administrative operations"). The administrator in this case would be the "data manager" (or data steward) given the correct responsibilities by the overall administrator (regional manager) in order to manage a particular collection (or data foundation).).*

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The Examiner is confident that Wu discloses, or at the very least suggests, all of the elements of the Applicant's claimed invention, as noted above. The Examiner is also confident that the data manager disclosed in the Wu reference is in fact what the Applicant refers to as a 'data steward'. It should also be noted for the record that the administrators (regional manager or super user) disclosed by Wu is able to customize a given user to have a variety of different access control permissions (*Wu: paragraph [0054]*). Therefore, one of ordinary skill in the art would assume that it would be obvious to such an administrator to customize a given user to have the amount of access or permissions granted as the administrator sees fit.

Furthermore, the Wu reference suggests a method implementing a variety of different users, which clearly implies that each different user is granted different types of permissions by the controlling administrator, regional manager, or super user (*Wu: paragraph [0037] and paragraph [0054]*). There would be no need to give a user a different title, titles which clearly show a hierarchy of authority, if the access or permissions did not vary across the group. If all access or permissions granted to each user were the same, each user would have the same title.

But, even in light of the above suggestions, it is important to note that the Wu reference does not explicitly disclose wherein only the data steward can manipulate the metadata in the collection, and wherein manipulating the metadata includes editing and deleting metadata.

However, Policastro discloses wherein only the data steward can manipulate the metadata in the collection (*Policastro: paragraph [0052], lines 1-8*), and wherein manipulating the metadata includes editing and deleting metadata (*Policastro: page 6, Table 1, Step 3; Note Specifically "Permit the data steward to modify and/or remove decision support code description."*).

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It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the teachings of Wu with the teachings of Policastro noted above for the purpose of granting the specific authority to a data steward wherein only the data steward can manipulate the metadata in a given collection of data (*Policastro: paragraph [0052], lines 1-8*). The skilled artisan would have been motivated to improve the teachings of Wu per the above such that a particular data steward is given the responsibility to be a custodian of a particular set of data (*Policastro: paragraph [0030], lines 3-6*).

**Claim 2:**

The combination Wu and Policastro discloses all the elements of claim 1, as noted above, and Wu further discloses comprising moving metadata, under the control of a collection administrator, into and out of the collection (*Wu: paragraph [0037]; Note particularly lines 13-15 of paragraph [0037] where the data administrator is allowed to modify the relevant data connections (or metadata) originally set up by the super user (or regional manager).*).

**Claim 3:**

The combination of Wu and Policastro discloses all the elements of claim 1, as noted above, and Wu further discloses wherein the data steward includes more than one individual (*Wu: paragraph [0037], line 4; This uses the plural form of the word "data manager". This means that there must be more than one data steward.*).

**Claim 5:**

The combination of Wu and Policastro discloses all the elements of claim 1, as noted above, and Wu further discloses wherein the collection is related to a specified domain (*Wu:*



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*paragraph [0037]; Note that the collection (data foundation) is related to geographical regions. The domain is a geographical region.).*

**Claim 6:**

The combination of Wu and Policastro discloses all the elements of claim 1, as noted above, and Wu further discloses wherein the data steward can be a data steward for more than one collection (Wu: *paragraph [0054], lines 1-4; The overall administrator controls access all collections (data foundation). If the administrator wishes to grant control to multiple collections to one data manager (or data steward) the administrator can. However, doing so is simply a design choice.*).

**Claim 7:**

The combination of Wu and Policastro discloses all the elements of claim 1, as noted above, and Wu further discloses wherein the super user has access to the metadata within a plurality of collections (Wu: *paragraph [0054], lines 4-7; Note that the overall administrator creates the data foundations (has access to collections) for the whole enterprise. Then the business views of each portion of the enterprise are delegated to other users.*).

**Claim 8:**

The combination of Wu and Policastro discloses all the elements of claim 1, as noted above, and Wu further discloses wherein the metadata can include data descriptions (Wu: *paragraph [0005], lines 6-12; This is the very definition of metadata. All metadata is a description of data.*).

**Claim 9:**

The combination of Wu and Policastro discloses all the elements of claim 1, as noted above, and Wu further discloses wherein the metadata can include procedures related to the data warehouse system (Wu: *paragraphs [0005] and [0011], lines 8-9; The metadata is used to deal with how the*

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*information is collected and formatted. Further the metadata is used to create business views allowing reporting and analysis of the information. Using metadata to create reports is a "procedure" as defined by the applicant in paragraph [0037] of the applicant's specification.).*

**Claim 10:**

The combination of Wu and Policastro discloses all the elements of claim 1, as noted above, and Wu further discloses comprising:

creating, under the control of the user a new metadata; and

requesting, under the control of the user, that the new metadata be moved to the collection (Wu: paragraph [0035] and [0054]; See rejection of claim 1 for further explanation of this paragraph. Also note paragraph [0054], lines 1-4 where it is disclosed that the overall administrator grants access to resources as the administrator sees fit.).

**Claim 11:**

The combination of Wu and Policastro discloses all the elements of claim 1, as noted above, and Wu further discloses comprising manipulating metadata, under the control of the user, that the user owns and that does not belong to the collection (Wu: paragraph [0035] and [0054]; Again the overall administrator (or regional director or super user) has the authority to grant permission to a user to access a given set of resources. The access to files is determined by the administrator (or super user) and is a design choice.).

**Claim 12:**

The combination of Wu and Policastro discloses all the elements of claim 1, as noted above, and Wu further discloses comprising creating metadata, under the control of the data steward, within a folder in the collection, wherein creating metadata within the folder

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automatically causes the metadata to be added to the collection (Wu: paragraph [0035], [0037], and [0054]; Paragraph [0035] discloses allowing a user to create metadata ("business elements", "mapped data", and "metadata consumer access business views"). This is done while editing/creating a data foundation (collection). And this collection must be in a folder (all computer files are in some sort of hierarchical grouping such as a folder). So the edits/additions are created inside a folder and the metadata is added to the collection. For any further explanation of the cited references see preceding rejections.).

**Claim 13:**

The combination of Wu and Policastro discloses all the elements of claim 1, as noted above, and Wu further discloses:

wherein only the super user can create/delete a collection;

wherein only the super user can update the collection by moving metadata to/from the collection (Wu: paragraphs [0034] and [0037]; See rejection of claim 1 for further explanation of these references.).

**Claim 14:**

Claim 14 is a computer program product claim corresponding to method claim 1 and is rejected under the same reasons set forth in the rejection of claim 1.

**Claim 15:**

Claim 15 is a computer program product claim corresponding to method claim 2 and is rejected under the same reasons set forth in the rejection of claim 2.

**Claim 16:**

Claim 16 is a computer program product claim corresponding to method claim 3 and is rejected under the same reasons set forth in the rejection of claim 3.

**Claim 18:**

Claim 18 is a computer program product claim corresponding to method claim 5 and is rejected under the same reasons set forth in the rejection of claim 5.

**Claim 19:**

Claim 19 is a computer program product claim corresponding to method claim 6 and is rejected under the same reasons set forth in the rejection of claim 6.

**Claim 20:**

Claim 20 is a computer program product claim corresponding to method claim 7 and is rejected under the same reasons set forth in the rejection of claim 7.

**Claim 21:**

The combination of Wu and Policastro discloses all the elements of claim 14, as noted above, and Wu further discloses wherein more than one data steward can be a data steward for a specified collection (*Wu: paragraph [0054], lines 1-4; The overall administrator controls access to all collections (data foundation). If the administrator wishes to grant control to multiple collections to multiple data managers (or data stewards) the administrator can. The administrator would simply grant necessary access to the individuals the administrator desires to be data managers (or data stewards). However, doing so is simply a design choice.*).

**Claim 22:**

Claim 22 is a computer program product claim corresponding to method claim 9 and is rejected under the same reasons set forth in the rejection of claim 9.

**Claim 23:**

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Claim 23 is a computer program product claim corresponding to method claim 10 and is rejected under the same reasons set forth in the rejection of claim 10.

**Claim 24:**

Claim 24 is a computer program product claim corresponding to method claim 11 and is rejected under the same reasons set forth in the rejection of claim 11.

**Claim 25:**

Claim 25 is a computer program product claim corresponding to method claim 12 and is rejected under the same reasons set forth in the rejection of claim 12.

**Claim 26:**

Claim 26 is a computer program product claim corresponding to method claim 13 and is rejected under the same reasons set forth in the rejection of claim 13.

**Claim 27:**

Claim 27 is an apparatus claim corresponding to method claim 1 and is rejected under the same reasons set forth in the rejection of claim 1.

**Claim 28:**

Claim 28 is an apparatus claim corresponding to method claim 2 and is rejected under the same reasons set forth in the rejection of claim 2.

**Claim 29:**

Claim 29 is an apparatus claim corresponding to method claim 3 and is rejected under the same reasons set forth in the rejection of claim 3.

**Claim 31:**

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Claim 31 is an apparatus claim corresponding to method claim 5 and is rejected under the same reasons set forth in the rejection of claim 5.

**Claim 32:**

Claim 32 is an apparatus claim corresponding to method claim 6 and is rejected under the same reasons set forth in the rejection of claim 6.

**Claim 33:**

Claim 33 is an apparatus claim corresponding to method claim 7 and is rejected under the same reasons set forth in the rejection of claim 7.

**Claim 34:**

Claim 34 is an apparatus claim corresponding to method claim 8 and is rejected under the same reasons set forth in the rejection of claim 8.

**Claim 35:**

Claim 35 is an apparatus claim corresponding to method claim 9 and is rejected under the same reasons set forth in the rejection of claim 9.

**Claim 36:**

Claim 36 is an apparatus claim corresponding to method claim 10 and is rejected under the same reasons set forth in the rejection of claim 10.

**Claim 37:**

Claim 37 is an apparatus claim corresponding to method claim 11 and is rejected under the same reasons set forth in the rejection of claim 11.

**Claim 38:**

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Claim 38 is an apparatus claim corresponding to method claim 12 and is rejected under the same reasons set forth in the rejection of claim 12.

**Claim 39:**

Claim 39 is an apparatus claim corresponding to method claim 13 and is rejected under the same reasons set forth in the rejection of claim 13.


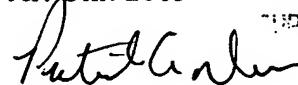
***Contact Information***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Patrick A. Darno whose telephone number is (571) 272-0788. The examiner can normally be reached on Monday - Friday, 9:00 am - 5:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Don Wong can be reached on (571) 272-1834. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Patrick A. Darno  
Examiner  
Art Unit 2163



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